

## 44-350.B Definitions

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### 44-350.B.1 Definitions

**Action for Civil Judgment** - The action taken by a county official to take the recipient or former recipient to court.

**Administrative Error Overpayment** - An overpayment caused by error on the part of the county when all information necessary to a correct determination of the grant was in the possession of the county.

**Aid** - The amount of assistance issued to a recipient.

**Balancing** - A method for the recovery of all or a portion of an overpayment by applying it against an underpayment.

**Claim ID** - When a claim (over/under payment) is determined and authorized in CalWIN, it is assigned a unique ID number (Claim ID) that is linked to the Eligibility Determination and Benefits Calculation (EDBC) run and historical data that resulted in the claim's creation.

**Client Error Overpayment** - A Client Error Overpayment is an overpayment which does not meet the criteria to be considered an administrative overpayment, a fraudulent overpayment, or an IPV.

**Demand for Repayment** - The notification to a recipient or former recipient that an overpayment occurred for which there is a right for judicial restitution. Where demand for repayment is appropriate, it may be used concurrently with other methods of adjustment.

**Extended Filing Date** - The date the SAR 7 must be received in order for the recipient to have continued CalWORKs eligibility. The SAR 7 must be received by the end of the business day on the first working day of the payment period in order for the recipient to continue eligibility without a break in aid.

**Fraud** - Fraud exists when a person has:

- Knowingly, and with the intent to deceive or defraud, made a false statement or representation to obtain benefits, obtain a continuance or increase of benefits, or avoid a reduction of

benefits.

- Knowingly, and with intent to defraud, failed to disclose a fact which, if disclosed, could have resulted in denial, reduction, or discontinuance of benefits.
- Accepted benefits knowing that there was no eligibility for those benefits, or accepted any amount of benefits knowing that this was greater than the amount to which they were entitled.
- Made statements which that individual did not know to be true for the purpose of obtaining benefits, continuing receiving benefits, or avoiding a reduction or denial of benefits.

**Grant Adjustment** - Recovery of an overpayment by reducing the grant of a recipient or AU.

**Intentional Program Violation (IPV)** - A determination made by a state or federal court, or pursuant to an Administrative Disqualification Hearing, that an individual has intentionally:

- Made a false or misleading statement or misrepresented, concealed, or withheld facts, or
- Committed any act intended to mislead, misrepresent, conceal, or withhold facts or propound a falsity, and
- Committed these acts to establish or maintain CalWORKs eligibility, or to increase or prevent a reduction in the amount of the CalWORKs grant.

**Liable Individual** - The person who is determined to be accountable for the claim (overpayment/overissuance). This person will be responsible for payment on the claim via methods such as monthly grant recoupment, cash payments, or tax intercepts.

**Month of Discovery** - The month in which the county obtained, or could have obtained by taking prompt action, information sufficient to support a determination both that an overpayment occurred and the amount of such overpayment.

**Non-fraudulent Overpayment** - An overpayment, which is not determined to be fraudulent.

**Overpayment** - Any amount of aid an AU has received to which it is not eligible. This may be all or a portion of the aid payment. It includes but is not limited to, an immediate need payment, a special need payment, Welfare-To-Work supportive services, or aid paid pending a state hearing.

**Recoupment** - Recoupment is the method of recovering an overpayment by grant adjustments, or voluntary grant offset from individuals or the AU.

**Recovery (or Collect)** - Grant adjustment, voluntary grant offset, voluntary cash recovery, demand for repayment, action for civil judgment and balancing.

**Regrouping** - When the data (i.e. discovery date, error type or claim amount) in a claim is changed in CalWIN and EDBC is run again, a new EDBC number is assigned and the recalculated claim is assigned a new number based on the new EDBC run. The old claim number does not disappear within the system, but is closed out as "recalculated." This allows historical data to remain available for tracking purposes and to create an audit trail.

**Underpayment (or Supplemental Payment)** - An Underpayment occurs when the applicant or recipient receives less than the amount to which the AU is entitled in a given month or months. If an underpayment comes to the attention of the HSS, reasonable steps to correct the underpayment must be taken.

Note: A payment due to a change in the **current** month's budget is not an underpayment; rather it is considered a supplement to the grant.

**Unlocatable** - Means either of the following:

1. When the county is unable to determine the whereabouts of the caretaker relative; or
2. When the county is able to locate the liable individual, but unable to execute a legal process to collect.

**Voluntary Cash Recovery** - Repayment made voluntarily to the county by a recipient who has incurred an overpayment.

**Voluntary Grant Offset** - Voluntary repayment made to the county by a recipient's foregoing all or a portion of a grant for which he or she is eligible.

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